United Nations A/AC.109/2006/SR.9

General Assembly

Distr.: General
18 July 2006

Original: English

Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Summary record of the 9th meeting
Held at Headquarters, New York, on Monday, 12 June 2006, at 3 p.m.

Chairman: Mr. Hunte ..... (Saint Lucia)

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06-38308 (E)

The meeting was called to order at 3.15 p.m.

Adoption of the agenda

1. *The agenda was adopted.*

Special Committee decision of 13 June 2005 concerning Puerto Rico (*continued*)
(A/AC.109/2006/L.7 and A/AC.109/2006/L.3)

Draft resolution A/AC.109/2006/L.7 (*continued*)

2. **The Chairman** invited the Committee to take a decision on draft resolution A/AC.109/2006/L.7 introduced by the sponsors at the previous meeting, and drew attention to the Rapporteur's report on the item (A/AC.109/2006/L.3).

3. **Mr. Maleki** (Islamic Republic of Iran), speaking in explanation of position before the decision, expressed support for the draft resolution and requested that it should be adopted without a vote.

4. *Draft resolution A/AC.109/2006/L.7 was adopted by consensus.*

5. **Ms. Nuñez de Odreman** (Bolivarian Republic of Venezuela), speaking in explanation of position on the draft resolution just adopted, observed that Puerto Rico, with a strong national identity that had endured during the entire period of its colonial occupation, had an absolute right to determine its own path and to choose independence. The United States suppression of the independence movement in Puerto Rico, and its recent killing of Filiberto Ojeda Rios, were acts of aggression against the entire Latin American homeland. The United States must end its repression, free all political prisoners and stop all military activity in Vieques.

6. **Mr. Malmierca Diaz** (Cuba) observed that the Cuban and Puerto Rican struggles for independence had been inextricably linked from the start: they had been mutually supported by their patriots since the 1800s and both countries had faced invasion by a common enemy. Although the resolution just adopted failed to include some points that Cuba had advocated — such as a specific reference to the murder of the pro-independence leader Ojeda Rios, and a call for the consideration of the question of Puerto Rico as a separate item on the agenda of the plenary Assembly — it expressed the general commitment to a brother nation, and was a tribute to its great leaders who had battled for over a century to achieve the nation's right to self-determination and independence.

Hearing of petitioners (*continued*)
(Aide memoire 03/06 and Add.1 and 2)

7. **The Chairman** said that a request for hearing from Mr. Eduardo Villanueva Muñoz (Comité de Derechos Humanos de Puerto Rico) had been submitted just before the deadline and had therefore not been included in aide-memoire 03/06/Add.2. He took it that the Committee wished to accede to the request.

8. *It was so decided.*

9. *At the invitation of the Chairman, Ms. Ramirez (United States Citizens from Puerto Rico, Inc.) took a place at the petitioners' table.*

10. **Ms. Ramirez** (United States Citizens from Puerto Rico, Inc.) said that she was the Vice-President of the New Progressive Party, which represented more than 950,000 voters, though the views she would express were entirely her own. It was a misconception that Puerto Rico was self-governing, since the United States Congress applied laws to Puerto Rico without asking for its consent. Puerto Rico, unlike the states of the Union, lacked a voice in Congress because it had only a non-voting delegate there. The Executive Branch of the United States Government, through the President's Task Force, had recommended that Congress should sanction a referendum to ask Puerto Ricans whether they wished to remain under the unilateral control of Congress. However, Congress had not acted on that recommendation.

11. The reasons for the lack of action were clear. Congress was subject to intense lobbying by multinational companies which, despite the havoc wreaked on the local economy as a result of tax loopholes, wished to continue their tax-free business in Puerto Rico and therefore opposed any change to Puerto Rico's territorial status. In fact, the person representing Puerto Rico's territorial Governor and defending its territorial status before the Special Committee was also a private attorney employed by those companies. Moreover, he also spoke for the native territorial elite which, through its ownership of the media, banks and insurance companies, used its economic weight to preserve the status quo, while living standards and social conditions on the island deteriorated.

12. Referendums had been held in 1993 and 1998 to try to achieve non-territorial status for Puerto Rico, but the forces previously mentioned had spent millions of dollars persuading the electorate not to support the proposal. However, no one living on the island now backed the existing territorial status except those who made huge amounts of money out of it.

13. The only solution was for the Special Committee to call on the United States Congress to act immediately to end Puerto Rico's territorial status. The many millions of United States citizens from Puerto Rico did not want independence; rather, they wanted to see a fifty-first star added to the United States flag.

14. *Ms. Ramírez withdrew.*

15. *At the invitation of the Chairman, Mr. Torres Platet (Gran Oriente Nacional de Puerto Rico) took a place at the petitioners' table.*

16. **Mr. Torres Platet** (Gran Oriente Nacional de Puerto Rico) called for the issue of the inalienable right of Puerto Ricans to self-determination and independence to be brought before the General Assembly. The lack of self-determination in Puerto Rico had caused serious economic and political decline and the debt of the colonial administration had imposed great hardship on the Puerto Rican people. Added to that, the impending job losses in the administration were sure to precipitate a social crisis.

17. The United States continued to make false offers to settle the issue of Puerto Rico's political status — the latest of which was the report of the inter-agency Task Force on Puerto Rico's Status — while suffocating the country with high interest rates on its debt, intimidating the proponents of social change, increasing the repression of political prisoners and, in the case of the independence fighter Filiberto Ojeda Ríos, resorting to assassination. The people of Puerto Rico were entitled to play the leading role in a proper process of self-determination.

18. The situation of the Puerto Rican people grew worse every year as the colonial model became increasingly obsolete. The Gran Oriente Nacional therefore reaffirmed the inalienable right of the Puerto Rican people to self-determination and independence; demanded that the United States should recognize the process through which the Puerto Rican people aimed to exercise that right; and demanded the immediate release of the political prisoners Oscar López and Carlos Alberto Torres and an end to repressive action against Puerto Ricans. It also supported the views on draft resolution A/AC.109/2006/L.7 expressed by the representative of Causa Común Independentista and Comité Puerto Rico en la ONU at the previous meeting.

19. *Mr. Torres Platet withdrew.*

20. *At the invitation of the Chairman, Mr. Velgara (Vieques Support Campaign) took a place at the petitioners' table.*

21. **Mr. Velgara** (Vieques Support Campaign) said that the situation in Vieques was the most blatant example of the destruction and devastation characteristic of colonialism. Though the bombing range in Vieques was now closed, the United States Navy continued to do everything in its power to avoid cleaning up the contamination of the land. The military presence remained, as did its political influence. Meanwhile, United States businesses were stealing the future of the people of Vieques for generations to come.

22. The United States Navy had admitted to detonating 20 tons of explosives in Vieques in recent months, releasing large quantities of contaminants into populated areas and the detonations were still continuing. Such activities, in which United States federal agencies and the Puerto Rican colonial Government were complicit, could only be characterized as criminal and genocidal under international law. As a result of contamination, the cancer rate in Vieques was 27 per cent higher than on the main island of Puerto Rico.

23. The four demands of the people of Vieques — demilitarization, decontamination, devolution of the land and development of a sustainable nature in the hands of the people — remained relevant and necessary. Yet the people of Vieques were being displaced and suffering economic deprivation as a result of a corporate land grab. Under the cloak of the war against terrorism, the colonial status of Puerto Rico was being maintained and the dire situation of Vieques was systematically being ignored by the colonizing Power. The people of Puerto Rico were now demanding a fifth "D": decolonization, which was an inalienable right. The people of Vieques and Puerto Rico deserved nothing less.

24. He would have liked to see the draft resolution just adopted condemn the growing repression of the independence movement, including the assassination of Filiberto Ojeda Ríos. He also called for the release of the political prisoners Haydee Beltran, Oscar López Rivera, Alberto Torres, Antonio Camacho Negron and Jose Perez González, who were being held in United States jails. Lastly, he urged the Special Committee to bring the situation of Puerto Rico before the General Assembly so as to focus the attention of the international community on the need for decolonization.

25. *Mr. Velgara withdrew.*

26. *At the invitation of the Chairman, Ms. Brassell (United for Vieques, Puerto Rico) took a place at the petitioners' table.*

27. **Ms. Brassell** (United for Vieques, Puerto Rico) said that, for the past six years, she had been involved in supporting the people of Vieques and campaigning for an end to the contamination of the island resulting from military activity. In turn, the people of Vieques had shown their solidarity with many other people around the world facing similar circumstances. The bombing of Vieques by the United States Navy, which in 1999 had resulted in the death of David Sanes, had been halted three years previously. However, the people of the island were still struggling for the fulfilment of their four demands.

28. The first of those demands was demilitarization: though the bombings had stopped, unexploded ordnance posed the threat of further contamination, placing the lives and health of the people of Vieques at continued risk. With regard to decontamination, the United States Navy continued to deny its responsibility to clean up, while the people of Vieques had been left out of the decision-making process in that regard. Many harmful toxins were still being released into the environment, causing a variety of serious illnesses. In addition, the United States Navy still maintained a relocatable over-the-horizon radar station on Vieques, which was powerful enough to alter weather patterns.

29. With regard to devolution, the people of Vieques had been shut out of decisions about the use of the land, which was now under the control of the United States Fish and Wildlife Service. As for development, the economy of Vieques had deteriorated in the three years since the bombings had stopped. The rush by developers and speculators to buy up property, land and businesses was pricing the people of Vieques out of their homeland. Unemployment was on the increase and many people had no choice but to leave the island.

30. She appealed for the support of the Special Committee and of the whole international community in helping the people of Vieques to achieve their four demands and the peace and justice they deserved.

31. *Ms. Brassell withdrew.*

32. *At the invitation of the Chairman, Mr. Pesquera Sevillano (Movimiento Independentista Nacional Hostosiano) took a place at the petitioners' table.*

33. **Mr. Pesquera Sevillano** (Movimiento Independentista Nacional Hostosiano) said that, since the Movement's last appearance before the Special Committee, the imperialist attitude of the United States towards Puerto Rico had not changed. In September 2005, the independence fighter Filiberto Ojeda Ríos had been killed during a raid carried out by agents of the United States Federal Bureau of Investigation (FBI). Having been shot, Mr. Ojeda Ríos had been denied medical assistance and left to die of his wounds. During further FBI raids on the homes and businesses of known independence fighters in February 2006, physical abuse of members of the press had attracted international condemnation. The FBI had refused to cooperate with a Puerto Rican Government investigation into its actions, effectively stating that its agents were above the law.

34. The economy of Puerto Rico, which was dependent on that of the United States, was bankrupt, and the situation was made worse by the restrictive shipping laws imposed on the country. It was therefore a matter of the utmost urgency to put an end to the colonial system, and he called for the issue to be brought before the General Assembly.

35. Although the Movement supported draft resolution A/AC.109/2006/L.7 in general terms, it was regrettable that the text legitimized the report of the inter-agency Task Force on Puerto Rico's Status, since that report contradicted the established principle that any initiative for the solution of the political status of Puerto Rico should originate from the people of Puerto Rico. Moreover, the report perpetuated the falsehood that annexation was a valid option, contrary to the provisions of General Assembly resolutions 1514 (XV) and 1541 (XV). Paragraph 6 of the draft resolution should have referred to the "urgency" of consideration

of the question of Puerto Rico instead of the "hope" that the General Assembly would consider it. Lastly, the text should have condemned the assassination of Filiberto Ojeda Rios.

36. Reiterating the Movement's support for the creation of a constitutional assembly on status, he called for the immediate release of all Puerto Ricans currently in prison because of their pro-independence activities.

37. *Mr. Pesquera Sevillano withdrew.*

38. *At the invitation of the Chairman, Mr. Bhatia (Puerto Rico Federal Affairs Administration) took a place at the petitioners' table.*

39. **Mr. Bhatia** (Puerto Rico Federal Affairs Administration) said that the report of the inter-agency Task Force on Puerto Rico's Status had been repudiated as an attempt to help those who wished to annex Puerto Rico and make it the fifty-first state, against the will of the majority of the Puerto Rican people. The report ignored decades of judicial precedents in federal courts as well as the international commitments of the United States. Two bills had been presented to the United States Congress as a result of the report, both of which were designed to achieve annexation through deception.

40. The Government of the Commonwealth of Puerto Rico firmly opposed both bills, favouring instead the establishment of a constitutional assembly on status. That mechanism had been recognized by the Special Committee through a number of resolutions and was supported by a large part of Puerto Rican society as well as a growing number of United States congressmen. Two draft bills supporting the establishment of a constitutional assembly on status had been presented, one in the Senate and the other in the House of Representatives.

41. The constitutional assembly on status would comprise delegates elected by the people of Puerto Rico and would propose to the United States Congress a new or amended association convention, the admission of Puerto Rico as the fifty-first state of the Union or a declaration of independence. If Congress approved self-determination, the proposal would then be presented to the people of Puerto Rico for approval through a referendum. If Congress or the Puerto Rican population rejected self-determination, the Government of Puerto Rico would have to convene a new constitutional assembly. The constitutional assembly on status would continue to meet until a proposal for self-determination was adopted by referendum with a joint resolution by the United States Congress supporting the proposal.

42. *Mr. Bhatia withdrew.*

43. *At the invitation of the Chairman, Mr. Nenadich (Consejo Nacional Para la Descolonización) took a place at the petitioners' table.*

44. **Mr. Nenadich** (Consejo Nacional Para la Descolonización) said that the goal of his organization was to achieve self-determination for Puerto Rico in compliance with existing international laws. The organization was comprised of persons from different municipalities and was not affiliated with any political party or organization.

45. In December 2005, the President's Task Force on Puerto Rico's Status had issued a report stating that Puerto Rico was, for the purposes of the Constitution of the United States, "a territory" and therefore subject to congressional authority under the territorial clause of the Constitution. That admission by an official White House committee invalidated General Assembly resolution 748 (VIII), in which it had been determined that Puerto Rico had achieved a new status of self-government and that, in consequence of those constitutional changes, the United States Government would cease to transmit information to the United Nations on that colony. The report contained other statements confirming the colonial status of Puerto Rico; such statements called for the immediate implementation of international law as contained in General Assembly resolution 1514 (XV).

46. The United States Government had a moral obligation to clarify, for the Committee, whether Puerto Rico had ceased to be a colonial Territory under the territorial clause of its Constitution or continued to be a colony subject to congressional authority, as stated in the report. If Puerto Rico continued to be a colony, the United States Government was obliged to comply with existing international law and transfer all powers to the people of that Territory. The Committee was obliged to request the General Assembly to rescind General Assembly resolution 748 (VIII) and the United Nations needed to explain to the world why it had taken 50 years to clarify the misunderstanding. Finally, the United Nations must demand that the United States

Government should immediately free all Puerto Rican political prisoners.

47. In conclusion, the United Nations and the Committee must comply with their own statutes and oblige the United States to withdraw immediately from Puerto Rico. Furthermore, the United Nations should appoint an international commission to supervise the decolonization process and prevent the United States from imposing conditions on Puerto Rico that might impede independence.

48. *Mr. Nenadich withdrew.*

49. *At the invitation of the Chairman, Mr. Estrada (Socialist Workers Party) took a place at the petitioners' table.*

50. **Mr. Estrada** (Socialist Workers Party) said that colonial rule had had brutal consequences for the Puerto Rican people. His party called on the United States Government to immediately release all Puerto Rican independence fighters from United States prisons. A successful fight for the independence of Puerto Rico was in the interest of the vast majority of the people of the United States; as long as Puerto Rico was under Washington's colonial domination, the fighting capacity and solidarity of the working class movement in the United States would be weakened. In fact, working people around the world had a common oppressor and enemy, namely the ruling United States billionaires and their Government.

51. The United States rulers, who lived off the labour and resources of millions around the world, had had the arrogance to tell the Puerto Rican people that independence would only bring them ruin. However, revolutionary Cuba had shown that it was possible to win genuine independence from United States imperialism by taking political power and starting a socialist revolution. The Committee's condemnation of Washington's colonial rule in Puerto Rico would serve the interests of the majority of United States citizens and of all those who were fighting for the right to self-determination.

52. *Mr. Estrada withdrew.*

53. *At the invitation of the Chairman, Mr. Rodriguez Banchs (Frente Socialista de Puerto Rico) took a place at the petitioners' table.*

54. **Mr. Rodríguez Banchs** (Frente Socialista de Puerto Rico) said that it was time to put an end to more than a century of United States colonialism in Puerto Rico. Although the island had achieved a measure of self-government, the United States still controlled critical areas such as defence, international and diplomatic relations, trade and immigration. The power to determine the country's political status also remained in the hands of the United States Government.

55. The report by the inter-agency Task Force on Puerto Rico's Status, which had been made public in December 2005, concluded that Puerto Rico was a "United States territory subject to the will of Congress" and that "Congress could legislate directly on local matters or determine the island's governmental structure". Such statements clearly indicated that the United States had lied to the United Nations in 1953 when it declared that the creation of the Commonwealth had put an end to the colonial relationship between Puerto Rico and the United States.

56. The Frente Socialista de Puerto Rico welcomed the resolution that had been presented and asked that the case of Puerto Rico should be put before the General Assembly as soon as possible; it was crucial that Puerto Rico should be put back on the list of Non-Self-Governing Territories. Finally, the Frente Socialista called for the unconditional release of all persons who had been imprisoned in the United States for political reasons.

57. *Mr. Rodriguez Banchs withdrew.*

58. *At the invitation of the Chairman, Mr. Dalmau Ramírez (Partido Popular Democrático) took a place at the petitioners' table.*

59. **Mr. Dalmau Ramírez** (Partido Popular Democrático), noting that his party had been founded to achieve the self-determination and autonomy of the Puerto Rican people, said that the people, which had maintained its national identity since the early nineteenth century in the face of colonialism, would never stop struggling for democracy. The 1952 Constitution by which Puerto Rico had exercised its sovereign right to establish itself as a Commonwealth in a compact with the United States should not now be used to block any future movement on the question of the political status of the country, which was still being debated, after 50 years.

60. In the three plebiscites on the issue, the Puerto Rican people had favoured neither annexation nor independence but rather autonomy. His own Partido Popular Democrático, rejecting any colonial solution, advocated an expanded Commonwealth based on the principles of sovereignty, association and shared responsibilities with the United States. Even though the United States was committed to respecting the will of the people, in practice it had not facilitated the exercise of self-determination. Indeed, with the recent establishment by the United States President of an inter-agency Task Force on Puerto Rico's Status it seemed to be trying to shift the balance. The report of the inter-agency Task Force put forward a disgracefully anti-democratic agenda devoid of any legal basis that advocated a very limited view of Puerto Rican rights and a very expansive view of United States congressional power.

61. The international community had a responsibility towards Puerto Rico and must act quickly. The time had come to bring the question of Puerto Rico to the plenary Assembly, so that the United States could be made answerable on the matter to the United Nations and so that Puerto Rico could carry the agenda begun in 1952 to its conclusion.

62. His party favoured the establishment of a constitutional assembly to determine the most effective and democratic way of resolving the status issue. It urged the Special Committee to affirm unequivocally the right of the people of Puerto Rico to self-determination; condemn firmly any attempts to violate that right; support the constitutional assembly mechanism, proclaiming that any solution regarding status must come from the people of Puerto Rico; and request that the question of Puerto Rico be discussed in the General Assembly.

63. The Partido Popular Democrático, led by the President and Governor of Puerto Rico, had mapped out a new road towards a solution. The United States must seek an outcome that was in keeping with its honourable democratic tradition and not with a shameful imperialist resurgence. The United Nations as well had the historic duty of furthering a genuine process of self-determination in Puerto Rico.

64. *Mr. Dalmau Ramírez withdrew.*

65. *At the invitation of the Chairman, Mr. Irizarry (Estudiantes de Derecho Hostosianos Pro Independencia) took a place at the petitioners' table.*

66. **Mr. Irizarry** (Estudiantes de Derecho Hostosianos Pro Independencia) said that the United States had not developed normal political relations with Puerto Rico but rather had imposed a brutally repressive colonial regime on Puerto Ricans of all political persuasions. Successive General Assembly resolutions had recognized every nation's right to self-determination, had reaffirmed the inherent right of colonial peoples to struggle by all necessary means at their disposal against colonial powers which suppressed their aspiration for freedom and independence, and had recognized that Non-Self-Governing Territories had a distinct legal status under international law. Consequently, the law students' organization that he represented asked that the General Assembly take up in plenary session the question of Puerto Rico as a colony of the United States.

67. The United States had recently stepped up its historically repressive attempts to crush any popular liberation movement in Puerto Rico, using methods that included political assassination, the bombing of Puerto Rican territory, the exploitation of natural resources, the harsh sentencing of political prisoners, and the involvement of young Puerto Ricans in its wars. Any acts of civil disobedience by young people to protest against United States military activities in Vieques, for instance, or student demonstrations against military recruitment programmes on university campuses had resulted in punitive actions and even unwarranted prison sentences. Unnecessary force had also been brought to bear against public art projects denouncing the Ojeda Ríos assassination. It should be noted that public protest of all kinds — except for political protests against the United States actions — were normally tolerated or ignored by the authorities.

68. Accordingly, since repression was obviously a condition of being a colony, the young people of Puerto Rico had come to realize that there was no other option but to fight for the right to be free. The international community was complicit in the annihilation of the Puerto Rican people in cultural, political, economic and social terms, and the United States would continue to suppress those fighting for a free country as long as the international community allowed it to do so.

69. *Mr. Irizarry withdrew.*

70. *At the invitation of the Chairman, Ms. Valdez de Lizardi (Puertorriqueños ante la ONU, Inc.) took a place at the petitioners' table.*

71. **Ms. Valdez de Lizardi** (Puertorriqueños ante la ONU, Inc.) said that she wanted to highlight two misconceptions that some United States citizens residing in Puerto Rico had been advancing year after year before the Committee as a way of putting political pressure on the United States to impose independence on the people of Puerto Rico, an independence it did not want and had consistently rejected.

72. The first argument was that Puerto Rico was a colony and had the right to self-determination and independence. Even if one considered Puerto Rico to be a colony — despite the fact that Puerto Ricans had been United States citizens since 1917 and had enjoyed Commonwealth status since 1952 — it was clear that self-determination could just as easily lead to two options other than independence: continued Commonwealth status, and integration or statehood. In fact, in elections held every four years since 1952, candidates favouring independence had gained less than 5 per cent of the vote and never elected a single representative; and obviously if Puerto Ricans decided to change their current status they would opt for statehood.

73. The second false argument was that the mainland was imposing the use of English to further its colonialist aims, whereas it was the separatists who were seeking to promote their agenda by limiting the use of English in schools and in daily life in order to keep the Puerto Rican people isolated and to further their own repressive ends.

74. Puerto Rico should not be placed on the list of Non-Self-Governing Territories by the United Nations because it had a special status and it had benefited from the culture, technology, monetary system and language of the United States, and especially its protection, which gave Puerto Ricans the political stability that allowed the will of the majority to prevail through the electoral process and prevented a minority from imposing its will through a coup d'état.

75. Integration and not separation was in everyone's interest. The question of Puerto Rico was a domestic matter for the United States Congress and the people of Puerto Rico to resolve through the electoral process of self-determination. The most the Special Committee should do was to observe that process.

76. *Ms. Valdez de Lizardi withdrew.*

77. *At the invitation of the Chairman, Mr. Baquero Navarro (Fundación Acción Democrática Puertorriqueña) took a place at the petitioners' table.*

78. **Mr. Baquero Navarro** (Fundación Acción Democrática Puertorriqueña) said that his organization, non-sectarian and not politically affiliated, took the position that the current relations between Puerto Rico and the United States of America were colonial and that Puerto Ricans, rather than being — as the United States maintained — United States citizens residing in Puerto Rico, had always constituted a separate nationality. Together with other groups, his Foundation sought to advance a process in which all Puerto Ricans, wherever they lived, would determine their own political future and be offered only non-colonial options recognized under international law.

79. His organization favoured the establishment of a constitutional assembly on status, composed of delegates from all sectors of Puerto Rican society, and not simply the political parties. Such an assembly would meet to study the various options for future relations between Puerto Rico and the United States in informed, democratic deliberations; as a democratically elected body, it would represent the nation's sovereignty and have the authority to negotiate effectively with the United States Congress; it would have an opportunity to educate the people and make them reflect on the social, political, economic and legal advantages of each of the status options; and its mandate would not be to reach a final decision but rather to make proposals subject to a national referendum.

80. A constitutional assembly would constitute an entirely new approach that appeared to be most suitable for resolving Puerto Rico's future relations with the United States. It was preferable to petitioning the Congress by means of a referendum because it left the initiative for making proposals in the hands of the representatives of the people, and because, unlike a referendum which was a one-time occurrence and left all initiative and follow-up in the hands of the Government of Puerto Rico, it was a continuing mechanism able to consider many issues related exclusively to political status. However, if the people of Puerto Rico chose another procedural mechanism of self-determination, his organization would collaborate in that effort.

81. The process of self-determination presupposed the release of all political prisoners being held in United States jails, and the cessation by the United States of attempts to suppress the proponents of independence, one of whose leaders it had recently murdered. The United Nations must persuade the United States to put an end to its colonial domination of Puerto Rico and must allow the question of Puerto Rico to be considered as a separate item in the plenary Assembly.

82. *Mr. Baquero Navarro withdrew.*

83. *At the invitation of the Chairman, Mr. Berrios Dávila (Acción Civil para el Status de Puerto Rico, Inc.) took a place at the petitioners' table.*

84. **Mr. Berrios Dávila** (Acción Civil para el Status de Puerto Rico, Inc.) said that colonialism, slavery and racism imposed by the United States Government since 1898 had left deep scars on both the American and the Puerto Rican people.

85. Ever back in 1951, the Puerto Rican political figure, González Blanes, had argued that Law No. 600 giving the Puerto Rican people greater autonomy did nothing to resolve their status. Nor had anything changed since then. According to Richard Thornburg, former Attorney-General of the United States and Director of the Domestic Policy Council, the type of commonwealth being sought by certain Puerto Rican movements (with separate nationality and powers of consent beyond federal law) exceeded what was constitutionally permissible even for states of the Union. Under the federal system, only states were guaranteed permanent status by the Constitution.

86. Over the years, more than 14 versions of an enhanced commonwealth had been proposed to the President and Congress of the United States for their approval but all of them had been rejected. It was in their interest to retain power over Puerto Rico allow the Puerto Rican people to believe that they had ceased to be a territory and a colony of the United States on being granted a greater degree of autonomy and self-governance in 1951.

87. In 2000, Congressman John T. Doolittle had introduced a bill in the House of Representatives to implement the "Proposal for the Development of the Commonwealth of Puerto Rico" adopted by the Popular Democratic Party of Puerto Rico and supported by its Governor, Acevedo Vila. Under the proposed legislation, entitled "Puerto Rico-United States Bilateral Pact of Non-Territorial Permanent Union and Guaranteed Citizenship Act", Puerto Ricans would acquire United States citizenship at birth and Puerto Rico would be recognized as a nation and could choose to retain certain powers rather than delegate them to the United States of America. It would be able to conclude tax agreements, negotiate with other countries and participate independently in international organizations.

88. Among the various members of the House Committee on Resources opposed to the draft legislation, Congressman Jim Saxton felt that the concept of an enhanced Commonwealth was an attempt to gain political capital by tricking the Puerto Rico people into thinking that they could obtain all the benefits, rights and privileges of citizenship without the responsibilities. Congressman Dan Burton felt the proposal reflected ignorance and small-mindedness and was designed to confuse and complicate the issue of status. Walter Dellinger maintained that the proposal was unconstitutional, as Congress had full authority to govern United States territories and newly elected Congresses had the power to review, amend and revoke legislation adopted by a previous Congress. Richard Thornburg and William Treanor believed that there was no such thing as non-territorial and non-colonial status, only statehood and territorial states. William Treanor also believed that citizenship should not be passed on from one generation to the next and that citizens of the enhanced Commonwealth should not be represented in Congress, a body of elected state representatives. Richard Thornburg called for a clear definition of "status", as the concept was confusing the Puerto Rican people and misleading them into believing that they could attain something that was actually impossible. The Puerto Rican people should either have all the rights, privileges and responsibilities conferred on United States citizens or be able to establish a free and independent republic. The report of the inter-agency Task Force on Puerto Rico's status, issued on 22 December 2005, heightened the need to clarify the concept of "territory", and to recognize that being a territory of the United States was tantamount to being a colony.

89. In conclusion, he referred to the unanimous Supreme Court decision of 1857 in the case of Dred Scott v. Sandford, affirming that the Constitution did not give the United States federal Government the

power to establish, maintain or expand colonies unless it was to admit them as new states of the Union.

90. *Mr. Berrios Dávila withdrew.*

91. *At the invitation of the Chairman, Ms. Rexach (National Advancement for Puerto Rican Culture) took a place at the petitioners' table.*

92. **Ms. Rexach** (National Advancement for Puerto Rican Culture) said that Puerto Rico was an undeclared fifty-first state of the United States by virtue of both its Commonwealth status and a 1917 law making all Puerto Ricans United States citizens. To complete that process and enfranchise the Puerto Rican people and give them the rights to Congressional representation, the United States Congress should immediately affirm the statehood of Puerto Rico. The political ambitions of a few individuals should not be pursued at the expense of about 6 million Puerto Ricans — 3 million residing on the island and another 3 million spread across the mainland of the United States.

93. *Ms. Rexach withdrew.*

94. *At the invitation of the Chairman, Mr. Adames (Centro Literario Anacaona) took a place at the petitioners' table.*

95. **Mr. Adames** (Centro Literario Anacaona) said that the structure of the Puerto Rican Government was virtually identical to that of a state of the Union and yet its lack of statehood turned the island's residents into second-class citizens who could neither vote nor be represented in Congress, yet were bound by all the duties of citizenship — including military service. Indeed, in some wars fought by the United States, more Puerto Ricans had died than citizens of any other state. Puerto Ricans who moved to the mainland, though subjected to discrimination, automatically became first-class citizens and acquired the right to vote; however, they reverted to their second-class status, even if they were war veterans, once they returned to the island.

96. While the island's actual status was that of a Commonwealth, some members of the Special Committee deliberately employed the term "colony" to justify the Committee's jurisdiction with the premeditated intention of destroying the relationship between Puerto Rico and the United States, and the secret intention of disrupting what should be a natural historical and social progression towards statehood. He called on the United States Congress to end its historical discrimination against the island of Puerto Rico by immediately declaring it the fifty-first state of the Union.

97. The political hypocrisy must end. Puerto Ricans were free and could come before the Committee to air their political grievances without any constraints. Could Cubans come before the Special Committee to protest against their lack of freedom? Perhaps an item on the "emergency" in Cuba should be included in the Committee's agenda.

98. *Mr. Adames withdrew.*

99. **Mr. Malmierca Díaz** (Cuba), speaking on a point of order, said that it was not the first time Mr. Adames had addressed the Special Committee. The previous year as well, his delegation had felt compelled to raise a point of order in response to the petitioner's false and disrespectful statement about Cuba, and now, once again, the petitioner was making completely false remarks that were unacceptable. His delegation would bear that in mind when the petitioner submitted a request to be heard at future sessions of the Special Committee.

100. *At the invitation of the Chairman, Ms. Grady Flores (Ithaca Catholic Worker Vieques Support Group) took a place at the petitioners' table.*

101. **Ms. Grady Flores** (Ithaca Catholic Worker Vieques Support Group) said that, through the Ithaca Catholic Worker Vieques Support Group, she helped to raise local awareness, including at Cornell University and Ithaca College, of the Puerto Rican struggle and the four demands of the people of Vieques: demilitarization (an end to 60 years of bombing by the United States Navy and the removal of ordnance); decontamination (removal of all hazardous materials, including radioactive depleted uranium dust and shells); devolution (immediate return of the land occupied by the United States Fish and Wildlife Services) and development (inclusion of the citizens of Vieques in planning and development of the island).

102. The Ithaca Catholic Worker Vieques Support Group had worked in Puerto Rico with a number of Vieques community organizations, including the Committee for the Rescue and Development of Vieques. In 2000, she had participated, as a member of the Christian Peacemaker Team, in a successful non-violent struggle in Vieques to protest against 60 years of bombing by the United States Navy.

103. The people taking part in the civil disobedience protest in Vieques had believed that their struggle was closely intertwined with the fate of others around the world who were also at the brunt of United States military and colonial power. As the Puerto Rican people mourned the death of Filiberto Ojeda Rios, her family and people of conscience all over the United States awaited the verdict of an upstate New York jury on the St. Patrick's Four, a non-violent protest against the invasion and colonization of Iraq. Two of her sisters and her brother-in-law were on trial.

104. As a mother of four children of draft age, she paid close attention to the consequences of the wars led by the United States and their aftermath. In attending the trial of peace activists in Baltimore just before going to Vieques, she had learned about the dangers of depleted uranium weapons, which caused heavy metal toxicity to the body and combined with DNA to cause cell mutations leading to cancer and birth defects. Its isotope U-235 emitted radioactive alpha rays, and its concentration that was 100,000 times more readily internalized.

105. Although the United States Navy had admitted only to firing "only 263 rounds" of depleted uranium shells in 1999 and in any case, Pentagon rules prohibited the military from practicing with depleted uranium, Ismael Guadalupe, who was at the current meeting, had witnessed its use in tanks as far back as 1994 and 1995. The United States Navy had used the A-10 warthog fighter plane, which could fire 9,500 rounds of depleted-uranium-tipped bullets in one minute, and nuclear engineer Frankie Jimenez had found 11 radioactive hot spots in the Navy bombing practice zone. On the eve of the Iraq war, the Navy had tested the famous 500-lb. Bunker Buster bombs covered with depleted uranium casing in the Vieques practice zone. Each detonation released depleted-uranium dust and other contaminants that were carried by the trade winds to the people of Vieques.

106. According to a health survey taken in spring 2005, the cancer rate in Vieques was 120 per cent higher than it was on the main island of Puerto Rico. Vieques resident Rolando Garcia, who had worked on the United States Navy base for three months in 1999, had tested positive for depleted-uranium contamination. He had pains in his bones, no hair and no eyelashes. His wife had lost their baby in the seventh month of her pregnancy. His memory and nerves had been affected like those of Iraq war veterans in suffering from depleted-uranium contamination.

107. She urged the Special Committee to consider such evidence of blatant disregard for human life and well-being, and to recognize the need for the self-determination of the Puerto Rican people.

The meeting rose at 6.10 p.m.